

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of: :  
Futoshi Tanigawa et al. :  
Conf. No.: 2369 : Group Art Unit: 1745  
Appln. No.: 10/081,087 : Examiner: Dah Wei Yuan  
Filing Date: February 22, 2002 : Attorney Docket No.: 10059-406US  
Title: POSITIVE ELECTRODE ACTIVE MATERIAL FOR ALKALINE STORAGE  
BATTERY, POSITIVE ELECTRODE USING THE SAME AND METHOD OF  
PRODUCING THE SAME

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

This is in response to a Notification of Non-Compliant Appeal Brief dated August 2, 2006 (Paper No. 20060801). This response is being timely filed by September 4, 2006 (September 2, 2006 being a Saturday). Attached is Appellant's Amended Brief, which is now in full compliance with 37 C.F.R. § 41.37. Specifically, Section III clearly states the status of all of the claims and Section V identifies independent claims 1 and 8 in relationship to the subject matter defined in each.

Respectfully submitted,

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